

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

SPANSION LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD;  
SAMSUNG ELECTRONICS AMERICA, INC.;  
SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC; AND SAMSUNG AUSTIN  
SEMICONDUCTOR, LLC.

Defendants.

Civil Action No. 1:10cv881 (CMH/JFA)

**DECLARATION OF TIMOTHY SHEPPARD IN SUPPORT OF SAMSUNG  
DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF THEIR MOTION TO  
TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(a)**

I, Timothy Sheppard, declare:

1. I am Controller at Samsung Telecommunications America, LLC (“Samsung Telecommunications America”) in Richardson, Texas.

2. I submit this declaration on behalf of Samsung Telecommunications America in support of *Samsung Defendants’ Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a)*.

3. This declaration is based upon my personal knowledge. If called upon to do so, I would testify as set forth below.

4. Samsung Telecommunications America is a subsidiary of Samsung Electronics Co., Ltd. It is organized under the laws of the State of Delaware and has a principal place of business at 1301 E. Lookout Drive, Richardson, Texas 75082.

5. Samsung Telecommunications America is registered to do business in the following states: Alabama, Arkansas, Arizona, California, Colorado, District of Columbia, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, North Carolina, Nevada, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Virginia, Washington and Wisconsin.

6. Samsung Telecommunications America is the distribution subsidiary for mobile handsets, and certain other telecommunications products, for the United States. Samsung Telecommunications America also sells and offers for sale these products in the United States.

7. Samsung Telecommunications America is not involved in the design, development or manufacturing of the accused flash memory devices or products incorporating the accused devices.

8. Samsung Telecommunications America has registered agents in the following states: California, Colorado, Delaware, Florida, Illinois, Kentucky, Massachusetts, Maryland, Puerto Rico, Texas and Virginia.

9. Samsung Telecommunications America has 17 offices in the following states: Washington, Kansas, Texas, Virginia, New Jersey, Colorado, Maryland, Pennsylvania and Georgia, including 3 offices in California, and in particular, one office in San Jose, CA.

10. All of the documents and evidence that may be material to this lawsuit are maintained at the headquarters of Samsung Telecommunications America in Richardson, Texas.

11. Individuals at Samsung Telecommunications America who are likely to have information relevant or material to this lawsuit include:

**Timothy Sheppard**, Controller

1301 East Lookout Drive, Richardson, TX 75082

Mr. Sheppard is expected to have information relevant to Samsung Telecommunications America sales and distribution of products incorporating the accused flash memory devices.

**Bryan Berndt**, Vice President Business Operations (Wireless Terminal Sales)

1301 East Lookout Drive, Richardson, TX 75082

Mr. Berndt is expected to have information relevant to Samsung Telecommunications America sales and distribution of products incorporating the accused flash memory devices.

**Tim Rowden**, Vice President Production Management (Wireless Terminal Sales)

1301 East Lookout Drive, Richardson, TX 75082

Mr. Rowden is expected to have information relevant to Samsung Telecommunications America sales and distribution of products incorporating the accused flash memory devices.

**Jeff Krusinski**, Director Customer Care (Service and Operations)

1301 East Lookout Drive, Richardson, TX 75082

Mr. Krusinski is expected to have information relevant to the service and operation of Samsung Telecommunications America products incorporating the accused flash memory devices.

**Paul Golden**, Sr. Director Marketing (Wireless Terminal Sales)

1301 East Lookout Drive, Richardson, TX 75082

Mr. Golden is expected to have information relevant to the marketing and sales of Samsung Telecommunications America products incorporating the accused flash memory devices.

**Sudhi Herle**, Engineer Vice President WTL (VZW Wireless Labs)

1301 East Lookout Drive, Richardson, TX 75082

Mr. Herle is expected to have information relevant to the operation of Samsung Telecommunications America products incorporating the accused flash memory devices.

I declare under penalty of perjury under the laws of the state of Texas that the foregoing is true and correct.

Executed on the 1<sup>st</sup> day of October 2010 at Richardson, Texas.

  
\_\_\_\_\_  
Timothy Sheppard